

Application No. 10/536,880

Response to telephone communication of January 16, 2007.

REMARKS/ARGUMENTS

In response to the requirement for the election of species (telephone communication with the Examiner Julie Ha) on January 16, 2007. Applicants elect, with the traverse a method of relaxing the bronchial smooth muscle as an ultimate species. All of the claims are readable on the elected species.

Applicants request that should the elected species be found allowable, the Examiner expand her search to include non-elected species.

Divisional applications filed thereafter claiming the non-elected species should not be subject to a double patenting ground of rejection 35 USC 121, In re Joyce (Comr Pats 1957) 115 USPQ 412.

Applicants submit that the above-identified application is now in condition for examination on the merits, and an early notice of such action is earnestly solicited.

Respectfully submitted,

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